

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

ROBYN D. BURTON,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner,
Social Security Administration,

Defendant.

Case No. 2:12-cv-00303-KJD-GWF

ORDER

Before the Court for consideration are the Findings and Recommendations (#17) of Magistrate Judge George W. Foley entered November 1, 2012, recommending that Plaintiff's Motion to Remand (#12) be granted and that the Court enter a judgment reversing the decision of the Commissioner and award benefits without remanding for a hearing. Defendant filed an objection (#18) to which Plaintiff responded (#21).

The Court has conducted a *de novo* review of the record in this case in accordance with 28 U.S.C. § 636(b)(1) and LR IB 3-2. The Court finds that the Findings and Recommendations (#17) of the United States Magistrate Judge entered November 1, 2012, should be adopted and affirmed.

IT IS THEREFORE ORDERED that Findings and Recommendations (#17) of the United States Magistrate Judge entered November 1, 2012, are **ADOPTED** and **AFFIRMED**;

1 **IT IS FURTHER ORDERED** that the decision of the Commissioner denying benefits is
2 **REVERSED**;

3 **IT IS FURTHER ORDERED** that this action is **REMANDED** to the Social Security
4 Agency for the immediate award of benefits.

5 DATED this 12th day of June 2013.

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Kent J. Dawson
United States District Judge